

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

DISTRICT OF MONTANA

Case number (if known) Chapter **11**☐ Check if this an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<b>White River Contracting LLC</b>	
2. All other names debtor used in the last 8 years <small>Include any assumed names, trade names and doing business as names</small>	<b>DBA Rocky Mountain Log Homes</b> <b>DBA Rocky Mountain Homes</b> <b>DBA Whisper Creek Log Homes</b> <b>DBA Rocky Mountain Lumber Company</b> <b>FDBA White River Construction LLC</b>	
3. Debtor's federal Employer Identification Number (EIN)	<b>45-4016578</b>	
4. Debtor's address	<b>Principal place of business</b>  <b>1883 Highway 93 South</b> <b>Hamilton, MT 59840</b> <small>Number, Street, City, State &amp; ZIP Code</small>  <b>Ravalli</b> <small>County</small>	<b>Mailing address, if different from principal place of business</b>  <small>P.O. Box, Number, Street, City, State &amp; ZIP Code</small>  <b>Location of principal assets, if different from principal place of business</b>  <small>Number, Street, City, State &amp; ZIP Code</small>
5. Debtor's website (URL)		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor **White River Contracting LLC**  
Name

Case number (if known)

**7. Describe debtor's business** A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

## B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

2361**8. Under which chapter of the Bankruptcy Code is the debtor filing?** Check one:

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. Check **all** that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No.
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **White River Contracting LLC**  
Name

Case number (if known)

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**

- ☐ No
- ☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49               | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99              | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input checked="" type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999            |  |  |

**15. Estimated Assets**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input type="checkbox"/> \$10,000,001 - \$50 million           | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million          | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million         | <input type="checkbox"/> More than \$50 billion          |

**16. Estimated liabilities**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input type="checkbox"/> \$1,000,001 - \$10 million             | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input checked="" type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million           | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million          | <input type="checkbox"/> More than \$50 billion          |

Debtor **White River Contracting LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures****WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 3, 2020**  
MM / DD / YYYY**X /s/ Craig Rostad**  
Signature of authorized representative of debtor  
  
Title **Managing Member****Craig Rostad**  
Printed name**18. Signature of attorney****X /s/ Matt Shimanek**  
Signature of attorney for debtorDate **November 3, 2020**  
MM / DD / YYYY**Matt Shimanek**  
Printed name**Shimanek Law PLLC**  
Firm name**317 East Spruce Street**  
**Missoula, MT 59802**  
Number, Street, City, State & ZIP CodeContact phone **406-544-8049** Email address **matt@shimaneklaw.com****6605 MT**  
Bar number and State

**Fill in this information to identify the case:**

Debtor name **White River Contracting LLC**  
 United States Bankruptcy Court for the: **DISTRICT OF MONTANA**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an  
 amended filing

**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
American Express PO Box 650448 Dallas, TX 75265		Credit card				\$70,000.00
Ascentium Capital 23970 Hwy 59 North Kingwood, TX 77339		Money loaned				\$203,101.00
Beacon Roof Supply Inc. 505 Huntmar Park Drive Suite #300 Herndon, VA 20170		Trade debt				\$69,566.00
Big Sky Insulation PO Box 838 Belgrade, MT 59714		Judgment for case DV-20-190				\$46,386.24
Browning Kaleczyc Berry & Hoven PC 201 Railroad Street West #300 Missoula, MT 59802		Legal services				\$59,496.73
Chase Bank USA NA PO Box 15298 Wilmington, DE 19850		Credit card				\$38,856.00
Earth Elements Design Center 12 Penny Lane Gallatin Gateway, MT 59730		Breach of contract claim	Unliquidated Disputed			\$57,884.95
Galle Plumbing and Heating 520 East Park Ave. Anaconda, MT 59711		Judgment for case DV-20-123				\$39,732.56

Debtor **White River Contracting LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Gerry Arambula 2417 Noth 44th Street Seattle, WA 98103		Breach of contract claim	Unliquidated Disputed			\$119,063.00
ICON Group Corp. Kenney Law PC Attn: Chris Kenney 3650 South Yosemite Street Denver, CO 80237		Breach of contract claim	Unliquidated Disputed			\$114,175.00
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346		941 Payroll Tax Liability				Unknown
Jules and Assoc. 515 South Figueroa Street Suite 1900 Los Angeles, CA 90071		Lease				\$67,261.00
KC Jones PO Box 165 Monroe, UT 84754		Trade debt				\$39,722.50
Montana Department of Commerce PO Box 200505 301 South Park Ave. Helena, MT 59620		Montana Wood Products Assistance Program				\$359,434.00
Montana Department of Revenue PO Box 7701 Helena, MT 59604-7701		Employment taxes				Unknown
Mountain Log Homes of Colorado 619 Main Street Frisco, CO 80443		Business Debt				\$47,291.44
Mountain Village Development LLC C/O Garlington Lohn & Robinson PLLP 350 Ryman Street PO Box 7909 Missoula, MT 59807		Breach of contract claim	Unliquidated Disputed			\$4,000,000.00
Rocky Mountain Bank 2615 King Ave. West Billings, MT 59108		Credit card				\$350,000.00

Debtor **White River Contracting LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Rocky Mountain Bank 2615 King Ave. West Billings, MT 59108		Money loaned				\$200,000.00
U.S. Small Business Administration 14925 Kingsport Road Fort Worth, TX 76155		EIDL distaster loan				\$150,000.00

GM Financial  
PO Box 78143  
Phoenix, AZ 85062

Alpine River Craftsman Company  
1751 North Lake Ave.  
Estes Park, CO 80517

Colbert Electric Inc.  
805 East Commercial Ave.  
Anaconda, MT 59711

Ravalli County Treasurer  
215 South 4th Street  
Suite H  
Hamilton, MT 59840

American Express  
PO Box 650448  
Dallas, TX 75265

Cotner Law PLLC  
2700 Radio Way  
Missoula, MT 59808

Rocky Mountain Bank  
2615 King Ave. West  
Billings, MT 59108

Ascentium Capital  
23970 Hwy 59 North  
Kingwood, TX 77339

Earth Elements Design Center  
12 Penny Lane  
Gallatin Gateway, MT 59730

Colorado Department of Revenue  
PO Box 17087  
Denver, CO 80217

Beacon Roof Supply Inc.  
505 Huntmar Park Drive  
Suite #300  
Herndon, VA 20170

EPTC LLC  
C/O Holland and Hart  
Attn: Matt Kim-Miller  
PO Box 68  
Jackson, WY 83001

Idaho State Tax Commission  
11321 West Chinden Blvd.  
Boise, ID 83714

Big Sky Insulation  
PO Box 838  
Belgrade, MT 59714

Galle Plumbing and Heating  
520 East Park Ave.  
Anaconda, MT 59711

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Browning Kaleczyc Berry & Hoven PC  
201 Railroad Street West  
#300  
Missoula, MT 59802

GCI Company  
C/O Elkhorn Law Office LLC  
Attn: Carl Robicheaux  
PO Box 1494  
Estes Park, CO 80517

Montana Department of Revenue  
PO Box 7701  
Helena, MT 59604-7701

Builders FirstSource  
2001 Bryan Street  
Suite 1600  
Dallas, TX 75201

Gerry Arambula  
2417 Noth 44th Street  
Seattle, WA 98103

Montana State Fund  
PO Box 4759  
Helena, MT 59604

Capital One  
PO Box 60599  
City of Industry, CA 91716

Home Depot  
1000 Technology Drive  
O Fallon, MO 63368

Utah State Tax Commission  
210 North 1950 West  
Salt Lake City, UT 84134

Chase Bank USA NA  
PO Box 15298  
Wilmington, DE 19850

HYG Financial Services  
PO Box 14545  
Des Moines, IA 50306



ICON Group Corp.  
Kenney Law PC  
Attn: Chris Kenney  
3650 South Yosemite Street  
Denver, CO 80237

R&S Supply  
4480 Expressway  
Missoula, MT 59808

Goetz, Baldwin & Geddes PC  
Attn: J. Devlan Geddes  
35 North Grand Ave.  
PO Box 6580  
Bozeman, MT 59771

Jules and Assoc.  
515 South Figueroa Street  
Suite 1900  
Los Angeles, CA 90071

Routh Enterprises Inc.  
1255 OK 3  
Broken Bow, OK 74728

Holland & Hart LLP  
Attn: Mr. Shane Coleman  
PO Box 639  
Billings, MT 59103

KC Jones  
PO Box 165  
Monroe, UT 84754

Steve & Lee Ann Cadwallader  
315 Hollowbrook Driver  
Carlisle, PA 17013

Jaffe & Asher LLP  
Attn: Mr. Dennis Pons  
600 Third Ave.  
New York, NY 10016

Minot Building Supply  
2626 West Burdick Expy  
Minot, ND 58701

Stonecraft LLC  
3589 Hwy 93 South  
Kalispell, MT 59901

Viscomi, Gersh, Simpson & Joos  
Attn: Brian Joos  
121 Wisconsin Ave.  
Whitefish, MT 59937

Montana Department of Commerce  
PO Box 200505  
301 South Park Ave.  
Helena, MT 59620

U.S. Small Business Administration  
14925 Kingsport Road  
Fort Worth, TX 76155

Mountain Log Homes of Colorado  
619 Main Street  
Frisco, CO 80443

United Rentals NA  
C/O Jacqueline Martinez  
1119 West Southern Ave.  
Suite 200  
Mesa, AZ 85201

Mountain Village Development LLC  
C/O Garlington Lohn & Robinson PLLP  
350 Ryman Street  
PO Box 7909  
Missoula, MT 59807

Vandermeer Forest Products  
8801 South 187th Street  
Kent, WA 98031

Northwestern Energy  
Butte, MT 59707

Baird Holm LLP  
1700 Farnam Street  
Suite 1500  
Omaha, NE 68102

Patten Peterman Bekkedahl and Green  
2817 2nd Ave. North  
Suite 300  
Billings, MT 59101

Brown Law Firm PC  
Attn: Robert Sterup  
315 North 24th Street  
Billings, MT 59101

**United States Bankruptcy Court  
District of Montana**

In re **White River Contracting LLC**

Debtor(s)

Case No.

Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **White River Contracting LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**November 3, 2020**

Date

**/s/ Matt Shimanek**

**Matt Shimanek**

Signature of Attorney or Litigant

Counsel for **White River Contracting LLC**

**Shimanek Law PLLC**

**317 East Spruce Street**

**Missoula, MT 59802**

**406-544-8049**

**matt@shimaneklaw.com**